

WOLF GREENFIELD

Fax: 6177202441

Feb 15 2002 15:38

P. 05

Art Unit 1646

Serial No. 09/336,091

- 2 -

D2 5.(twice amended) The isolated HLA DRB1\*15-binding peptide of claim 2 wherein the isolated peptide comprises an endosomal targeting signal.

D3 7.(twice amended) The isolated HLA DRB1\*15-binding peptide of claim 2 wherein the isolated peptide is non-hydrolyzable.

D4 9.(twice amended) A composition comprising an isolated MAGE-A1 HLA class I-binding peptide and an isolated MAGE-A1 HLA DRB1\*15-binding peptide, wherein the isolated HLA class II-binding peptide consists of the amino acid sequence set forth as SEQ ID NO:7, or a functional variant thereof consisting of one amino acid addition, substitution or deletion, and 0-10 amino acids added to either or both ends of the amino acid sequence set forth as SEQ ID NO:7, or the functional variant thereof consisting of one amino acid addition, substitution or deletion.

D5 14.(amended) The composition of claim 9 wherein the isolated MAGE-A1 HLA DRB1\*15-binding peptide comprises an endosomal targeting signal.

D6 76.(twice amended) The isolated HLA DRB1\*15-binding peptide of claim 2 wherein the isolated peptide consists of an amino acid sequence selected from the group consisting of SEQ ID NO:3, SEQ ID NO:4, and SEQ ID NO:7, or a functional variant thereof consisting of one amino acid addition, substitution or deletion.

D7 77.(amended) The isolated HLA DRB1\*15-binding peptide of claim 2 wherein the isolated peptide consists of an amino acid sequence selected from the group consisting of SEQ ID NO:4 and SEQ ID NO:7.

D8 78.(amended) The isolated HLA DRB1\*15-binding peptide of claim 5 wherein the endosomal targeting signal comprises an endosomal targeting portion of human invariant chain II or LAMP.

1.

Serial No. 09/336,091

- 3 -

Art Unit 1646

D9  
79.(amended) The isolated HLA DRB1\*15-binding peptide of claim 7 wherein the isolated peptide is selected from the group consisting of peptides comprising D-amino acids, peptides comprising a -psi[CH<sub>2</sub>NH]-reduced amide peptide bond, peptides comprising a -psi[COCH<sub>2</sub>]-ketomethylene peptide bond, peptides comprising a -psi[CH(CN)NH]-(cyanomethylene)amino peptide bond, peptides comprising a -psi[CH<sub>2</sub>CH(OH)]-hydroxyethylene peptide bond, peptides comprising a -psi[CH<sub>2</sub>O]-peptide bond, and peptides comprising a -psi[CH<sub>2</sub>S]-thiomethylene peptide bond.

D10  
80.(amended) The composition of claim 9 wherein the MAGE-A1 HLA class I-binding peptide and the MAGE-A1 HLA DRB1\*15-binding peptide are combined as a polytope polypeptide.

D11  
81.(twice amended) The composition of claim 9 wherein the isolated MAGE-A1 HLA DRB1\*15-binding peptide consists of an amino acid sequence selected from the group consisting of SEQ ID NO:3, SEQ ID NO:4 and SEQ ID NO:7, or a functional variant thereof consisting of one amino acid addition, substitution or deletion.

D12  
82.(twice amended) The composition of claim 9 wherein the isolated MAGE-A1 HLA DRB1\*15-binding peptide consists of an amino acid sequence selected from the group consisting of SEQ ID NO:3, SEQ ID NO:4 and SEQ ID NO:7.

#### Remarks

Applicants have amended claims 2, and 9 to clarify the subject matter of the claims with respect to the scope of the functional variants and the nature of the peptides as HLA DRB1\*15-binding peptides. The remaining claims were amended to reflect the amendments to claims 2 and 9. No new matter has been added.

Regarding the Examiner's statement in paragraph 4 of the Office Action, Applicants respectfully disagree that the transitional phrase "consisting essentially of" is an open term. To the contrary, it is well settled in case law that "consisting essentially of" has a meaning distinct from open terms such as "comprising." As interpreted by the courts, consisting essentially of covers the claimed article with additional elements, but excludes additional elements "that would materially affect the basic and novel characteristics" of the products defined in the balance of